

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
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U.S. DISTRICT COURT
DISTRICT OF MASS.

SOUTH SHORE SAVINGS BANK,
SUCCESSOR-BY-MERGER TO SOUTH
WEYMOUTH SAVINGS BANK,

Plaintiff,

v.

CIVIL ACTION NO. 05-11754RGS

JOEL K. LOGAN, INDIVIDUALLY AND AS
TRUSTEE OF CRESTVIEW MANAGEMENT
TRUST; MARY ELLEN LOGAN,
INDIVIDUALLY AND AS TRUSTEE OF
CRESTVIEW MANAGEMENT TRUST;
MASSACHUSETTS DEPARTMENT OF
REVENUE, J. GLAB, LLC AS ASSIGNEE OF
KING DAVID TRUST; CIRELLI FOODS, INC.;
INTERNAL REVENUE SERVICE; JONATHAN
BASHEIN AS ASSIGNEE OF NIXON
PEABODY, LLP; ROBERT J. GRIFFIN, ESQ.;
THOMAS F. REILLY, ATTORNEY GENERAL
OF THE COMMONWEALTH OF
MASSACHUSETTS; THE COMMONWEALTH
OF MASSACHUSETTS BY ITS DEPARTMENT
OF PUBLIC HEALTH; HEALTHCARE
CAPITAL RESOURCES, INC., AND HCFP
FUNDING, INC., SUCCESSOR-IN-INTEREST
TO HEALTH PARTNERS FUNDING, L.P.,

Defendants.

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1

Pursuant to Local Rule 16.1, Defendant J Glab LLC ("Glab"), Defendant Robert J. Griffin, Temporary Receiver ("Temporary Receiver"), Defendant, Thomas Reilly, Attorney General of the Commonwealth of Massachusetts, and Defendant, Commonwealth of Massachusetts Department of Public Health ("DPH") (collectively, the Attorney General and

DPH are referred to as “the Commonwealth”), having conferred as required by Local Rule 16.1(B), hereby submit the following Local Rule 16.1(D) Joint Statement.¹

I. AGENDA FOR SCHEDULING CONFERENCE

This is an interpleader action involving surplus funds in the amount of \$548,254 resulting from the foreclosure of a mortgage. Issues to be discussed at the Scheduling Conference include the validity and priority of claimed liens, defenses to any claimed lien or priority and a schedule for discovery and motions, including motions for summary judgment.

II. DISCOVERY AND MOTION SCHEDULE

The Temporary Receiver and the Commonwealth propose the following discovery and motion schedule:

Initial Disclosures:	Within 15 days after Scheduling Conference
Initial Fact Discovery:	120 Days from date of Scheduling Conference
Expert Reports (if any):	150 Days from date of Scheduling Conference
Rebuttal Reports (if any):	180 Days from date of Scheduling Conference
All Discovery Complete:	210 Days from date of Scheduling Conference
Summary Judgment Motions Filed:	240 Days from date of Scheduling Conference
Opposition to Summary Judgment:	270 Days from date of Scheduling Conference
Pretrial Conference:	300 Days from date of Scheduling Conference

¹ The foregoing parties appear to be the parties with primary interest remaining in the case, as multiple parties have not answered and Defendant United States filed a Notice of Conceded Lien Priority and Defendant Commonwealth of Massachusetts Commissioner of Revenue has filed a Disclaimer of Interest.

Glab does not believe that discovery should be permitted given the nature of this case and legal issue involved.

III. ALTERNATIVE DISPUTE RESOLUTION

The parties do not believe that participation in the ADR program sponsored by the Federal District Court would be productive at this time.

IV. PROPOSED PRE-TRIAL SCHEDULE

The parties have not agreed to any pre-trial schedule.

V. MAGISTRATE JUDGE

The parties do not consent to trial by magistrate judge at this time.

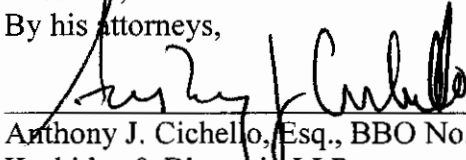
VI. SETTLEMENT

The parties have not had any meaningful discussion regarding settlement in light of the outstanding legal issues in this case.

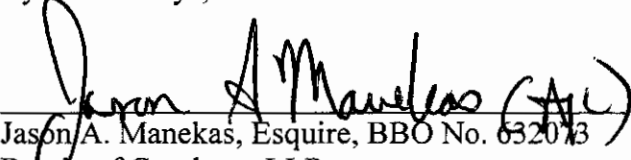
VII. LOCAL RULE 16.1(D)(3) CERTIFICATIONS

The Local Rule 16.1(D)(3) Certifications will be filed by the parties under separate cover.

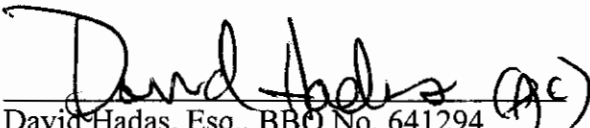
Defendant,
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By his attorneys,


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Defendant,
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Commonwealth of Massachusetts,
The Commonwealth of Massachusetts by its
Department of Public Health,
By its attorneys,


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Government Bureau
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Dated: November 7, 2005
#326169 v2/36503/66

CERTIFICATE OF SERVICE

I, Anthony J. Cichello, hereby certify that on November 7, 2005, I served a copy of Joint Statement Pursuant To Local Rule 16.1, via first class mail, postage prepaid, upon the following counsel of record:

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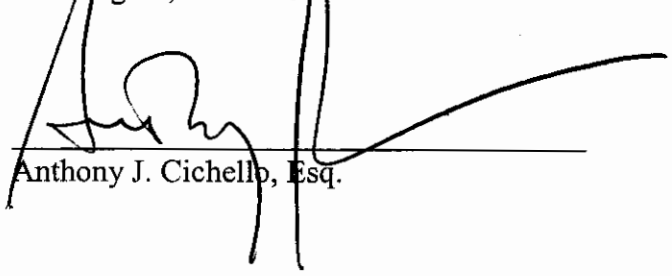
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